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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/448,301	11/24/1999	HIROSHI YAMAGUCHI	1110-0258P	4884

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EXAMINER

DO, ANH HONG

ART UNIT

PAPER NUMBER

2624

DATE MAILED: 09/23/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/448,301

Applicant(s)

YAMAGUCHI, HIROSHI

Examiner

ANH H DO

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) 3 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2 and 14-16 is/are allowed.
- 6) ☒ Claim(s) 1, 4-13, 17, and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 7/7/2003 have been fully considered but they are not persuasive.

With respect to the applicant's argument that the cited prior art does not teach or suggest "said compression device performs normalization for correcting fluctuation of said image data in reading prior to compression of said image data of said image to perform setup of said image data", it is noted that Otto clearly teaches the normalization is performed prior to the compression for correcting the fluctuation of the image data by making all standard deviation values and the map zeros (col. 9, lines 10-18).

For the foregoing reason, it is believed the rejection should be sustained.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 4-13, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi (U.S. Patent No. 5,940,824) in view of Otto (U.S. patent No. 6,244,514).

Regarding claim 1, Takahashi discloses:

- a storage device for storing compressed image data, said storage device including the image database (Fig. 1: main image file D4);
- a retrieval device for retrieving said image while said compressed image data is in a compressed state (Fig. 1: search unit 12);
- a compression device for compressing image data to produce said compressed image data (Fig. 1: compression processing unit 15).

Takahashi does not specifically teach normalization of the image data prior to compression of said image data. One skilled in the art would have clearly recognized that in the Takahashi system, the data volume could be reduced in data retrieval (col. 14, lines 4-8).

Otto, in the same field of endeavor, teaches:

- normalizing the image data prior to compression for correcting fluctuation of said image data in reading, in which the number of possible maps is reduced (col. 9, lines 10-18).

Therefore, it would have been obvious to normalize the image data in Takahashi as taught by Otto in order to reduce the data volume in the data retrieval.

Regarding claim 4, Takahashi teaches:

- wherein said storage device stores said compressed image data and information of the image under a correspondence therebetween (Fig. 1: main image file D4 storing compressed image data outputted from compression processing unit 15 and information outputted from keyword application unit 18 under a correspondence therebetween).

Regarding claim 5, Takahashi teaches:

- wherein said information of a correspondence image is read from said data base in accordance with a result retrieved by said retrieval device (Fig. 1: information of

a correspondence image is read from said data base D4 in accordance with a result retrieved by said retrieval device 12).

Regarding claim 6, Takahashi teaches:

- wherein said storage device stores image data after said image is split into a plurality of regions and wherein said retrieval device performs retrieval of said compressed image data after said image data in regions which are in a point symmetry relation with each other about the center of said image are unified (col. 7, lines 31-35).

Regarding claim 7, Takahashi teaches:

- compressed image data comprises spatial coefficients of a luminance signal and a color difference signal (col. 8, lines 31-35).

Regarding claim 8, Takahashi teaches:

- comparing the spatial coefficients of the luminance signal up to a specified order with each other to select objects to be retrieved (col. 7, lines 43-49), and thereby comparing the spatial coefficients of the color difference signal of the thus selected objects to be retrieved to another specified order with each other, and retrieval by comparing the spatial coefficients of the luminance signal up to a higher order than the previously specified order with each other (col. 11, lines 28-42).

Regarding claim 9, Takahashi teaches wherein said retrieval device performs priority ranking of said compressed image data to be candidate (col. 11, lines 11-20).

Regarding claim 10, Takahashi teaches:

- after said compressed image data is extended, one or more images are represented as visible images in accordance with the result of said priority ranking (Fig. 5 shows the visible images and Fig. 6 shows retrieval result after expanding the compressed image).

Regarding claim 11, Otto teaches:

- said information is at least one of image data of the image of interest and information of image processing to which the image of interest is subjected (col. 7, lines 47-53).

Regarding claim 12, Takahashi discloses:

- an image processing device for subjecting image or image data thereof to image processing (Fig. 1: scanner 21 and image input);
- a setting device for setting said image processing which said image processing device performs in accordance with image or image data thereof (Fig. 1: keyword application unit 18 or compression processing unit 15);
- a storage device for storing compressed image data (Fig. 1: main image file D4);
- a retrieval device for retrieving said image while said compressed image data is in a compressed state (Fig. 1: search unit 12);
- a compression device for compressing image data to produce said compressed image data (Fig. 1: compression processing unit 15).

Takahashi does not specifically teach normalization of the image data prior to compression of said image data. One skilled in the art would have clearly recognized that in the Takahashi system, the data volume could be reduced in data retrieval (col. 14, lines 4-8).

Otto, in the same field of endeavor, teaches:

- normalizing the image data prior to compression for correcting fluctuation of said image data in reading, in which the number of possible maps is reduced (col. 9, lines 10-18).

Therefore, it would have been obvious to normalize the image data in Takahashi as taught by Otto in order to reduce the data volume in the data retrieval.

Regarding claim 13, Takahashi teaches:

- when said information of the image processing corresponding to said image retrieved by said retrieval device is read out in accordance with an instruction for reprocessing said image or image data thereof, said setting device reproduces said image processing to which said image or said image data thereof has previously been subjected using the thus read information of said image processing (col. 5, lines 7-22).

Regarding claims 17 and 18, Otto teaches wherein said normalization is performed so that the averages of the compressed image data become equal to each other (col. 9, lines 10-18, teaches the mean is equal to the pixel values of the image data).

Allowable Subject Matter

4. Claims 2, 14, 15, and 16 are allowed.
5. The following is a statement of reasons for the indication of allowable subject matter:

Regarding independent claims 15 and 16, the prior art, either taken singly or in combination, does not teach:

- wherein said retrieval device performs retrieval of said image using said compressed image data after said compressed image data of said split images in

regions which are in point symmetry relation with each other about the center of said image are added.

Regarding claims 2 and 14, since these claims depend upon claims 15 and 16 respectively, they are also allowable for the same reason.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANH H DO whose telephone number is 703-308-6720. The examiner can normally be reached on 5/4-9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DAVID K MOORE can be reached on 703-308-7452. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-308-5397 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

September 20, 2003



ANH HONG DO
PATENT EXAMINER